

BRUCE A. BLAKEMAN
County Executive



THOMAS A. ADAMS
Acting County Attorney

COUNTY OF NASSAU
OFFICE OF THE COUNTY ATTORNEY

January 18, 2022

Via ECF

Honorable Sanket J. Bulsara
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Chambers 304N, Courtroom 324N
Brooklyn, New York 11201

Re: Soley v. County of Nassau, et. al.
Docket No. CV-18-377(ARR)(SJB)

Dear Magistrate Judge Bulsara:

This office represents the Nassau County municipal and police officer defendants in the above-referenced matter. The purpose of this letter is respectfully request, with the consent of all parties, that the Court adjourn (1) the date for filing ex-parte settlement letters (presently January 21, 2022) and (2) the settlement conference scheduled for January 25, 2022.

The reason for this request is that defendant D.J. Rosenbaum, a former Nassau County Assistant District Attorney represented by the law firm of Lewis Johs Avallone Aviles LLP, has filed a motion to dismiss plaintiff Ean Soley's Second Amended Complaint pursuant to Fed. R. Civ. P. 12(c). Defendant Rosenbaum's fully briefed motion was filed on December 8, 2021 [DE 105] before the Hon. Allyne R. Ross, and a decision from Judge Ross is still pending. Defendants believe that Judge Ross's determination of the motion will have a significant impact on the parties' settlement positions and that at this juncture, it is premature to file settlement position letters and hold a settlement conference. After the motion is decided by Judge Ross, the parties will be in a better position to assess the potential for settlement.

Therefore, the parties respectfully request that the Court adjourn (1) the date for filing ex-parte settlement letters (presently January 21, 2022) and (2) the settlement conference scheduled for January 25, 2022. Thank you for your attention and consideration in this matter.

Respectfully submitted,

/s/ Ralph J. Reissman
RALPH J. REISSMAN
Deputy County Attorney

(via ECF): All counsel of record

ONE WEST STREET – MINEOLA, NEW YORK 11501-4820
516-571-3056, FAX 516-571-6684, 6604